



Montana Department of Transportation

2701 Prospect Avenue
PO Box 201001
Helena MT 59620-1001

Jim Lynch, Director
Brian Schweitzer, Governor

April 26, 2006

Environmental Quality Council
Room 171, State Capitol
P.O. Box 201704
Helena MT 59620-1704

RECEIVED

MAY 05 2006

LEGISLATIVE ENVIRONMENTAL
POLICY OFFICE

**Subject: MDT Statewide Maintenance Projects
Nevada Lake to MT-200**
ID: P-41 (Lewis and Clark County)
Reference Post from: 19.5
Reference Post to: 32.5

The Environmental Services Bureau of the Montana Department of Transportation has reviewed the Environmental Checklist for the Maintenance Pavement Preservation Activities. We have determined that the Statewide PCE for these types of projects would cover this project.

If there are special provisions for these projects, the special provisions are attached or included on the checklist. I have attached the checklist and the location map for your information.

If you have any questions concerning this letter, please contact me at 444-0456.

Tom Hansen, P.E.
Engineering Section Supervisor
Environmental Services Bureau

Attachments

TH:jjr

copies: Jon Swartz, Maintenance
Dave Kelly, Maintenance Chief-Great Falls
Mark A. Wissinger, P.E., Construction Engineer, Highways and Engineering
File

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ENVIRONMENTAL CHECKLIST FOR MAINTENANCE ACTIVITIES

Applicant (Maintenance Chief) cannot be authorized to proceed with the proposed work until ALL of the conditions of the checklist have been satisfied.

(FOR PROJECTS WITH NO RIGHT-OF-WAY INVOLVEMENT)

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Project No.: 3106668

ID: 3120

Designation: Nevada Lake to MT-200 (P-41)
APR 17 2006

Proposed Date of Maintenance Activity: Fall of 2006

ENVIRONMENTAL

Federal Funds Involved? Yes No

Reference Post (Station) 19.5

to Reference Post (Station) 32.5

Applicants Name: David W. Kelly

Address: Box 1359 Great Falls, MT 59403

Type of Proposed Maintenance Activity: Crack Seal

IMPACTS ON THE PHYSICAL ENVIRONMENT (TO BE COMPLETED BY APPLICANT)

Impact Questions	[Y/N] There are Potential Impacts; or Item Requires Documentation, Evaluation, Mitigation Measures, and/or (a) Permit(s).		
	Yes	No	Comment or List Documentation, Evaluation, Mitigation Measure, and/or (a) Permit(s) Required for Items 1 through 7. (Use attachments if necessary)
1. Does the proposed action require work in, across, and/or adjacent to a river which is a component of, or proposed for inclusion in Montana's Wild and/or Scenic Rivers system. (See listing on page 3)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
2. Are there any recorded occurrences, and/or critical habitat for Federally-listed Threatened and Endangered Species in the vicinity of the proposed activity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	- See attached comment on protection of wildlife.
3. Does the proposed action have an impact on water quality? If answer is NO go to question 4.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3a. If the answer to number 3 is yes, is a Clean Water Act ' Section 402 permit required? (MPDES issued by MDEQ)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> N/A
4. Does the proposed project have impacts to wetlands or waters of the U.S.? If answer is NO go to question 5.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
4a. If the answer to number 4 is yes, is a Clean Water Act ' 404 permit authorization required?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> N/A
4b. If the answer to number 3 or 4 is yes, is a Stream Protection Act ' 124SPA permit required? (Issued by MDFWP)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> N/A
5. Does the proposed project involve hazardous waste site[s]? (Superfund, spills, underground storage tanks, etc.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Checked NRis. JR
6. Is the proposed activity on and/or within approximately 1.6 Km (1 mile) of an Indian Reservation? If answer is NO go to question 7.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
6a. Are any Tribal water permits required?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> N/A
7. Is the proposed project in a "Class I Air Shed" (Some Indian Reservations)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/> N/A

8. Magnitude and significance of potential impacts: To be completed by applicant.

Checklist prepared by: David W. Kelly
Applicant (Maintenance Chief)

Maintenance Chief
Title

4/13/06
Date

Approved by:

ENVIRONMENTAL ENGINEERING 5/3/06
SECTION SUPERVISOR Date

Environmental Services
(when items 1, 2, 3, 3a, 4, 4a, 4b, 5, 6, 6a, or 7 are checked "Yes")

- A. The applicant shall complete the checklist indicating a "Yes" or "No" for each item, except number 8 which may require a narrative response.
- B. When a "Yes" is indicated on any number of items 1 through 7, the applicant must explain why and provide the appropriate documentation, evaluation, permit, and/or mitigation measures required to satisfy environmental concerns for the project. Use attachments if necessary.
- C. If the applicant checks "Yes" for any one item, the checklist and the applicant's mitigation proposal, documentation, evaluation and/or permit shall be submitted to MDT Environmental Services. Contact Number 444-7228.
- D. When the applicant checks a "Yes" item, the applicant cannot be authorized to proceed with the proposed work until Environmental Services reviews the information and signs the checklist.
- E. Applicant will obtain all necessary permits or authorizations from other entities with jurisdiction prior to beginning the Pavement Preservation Activity.

Montana's Wild and/or Scenic Rivers system as published by the U.S. DEPARTMENT OF AGRICULTURE (USDA), or the U.S. DEPARTMENT OF THE INTERIOR (USDol)

1. Middle Fork of the Flathead River (headwaters to South Fork of the Flathead River confluence)
2. North Fork of the Flathead River (Canadian Border to Middle Fork of the Flathead River confluence)
3. South Fork of the Flathead River (headwaters to Hungry Horse Reservoir)
4. Missouri River (Fort Benton to Charles M. Russell National Wildlife Refuge)

MDT WORK ORDER AND COST CENTER INPUT FORM

3106668

To be completed whenever a cost center number is to be established to collect costs for specific work

MMS Activity Report Coding

Extended Coding *Do not use for MMS activity reports*

Work Location				
Corridor	RB	Milepost		CC
#		B MP	E MP	
C	41	N	19.5	32.5
				3106668

Acct#	Proj	Agmt	Unit	Wrk	CI	Res Cntr
4030						033120

State Forces Contracted Forces

Purchase Order #:

Contractor: MDT

Estimated Completion: 6/30/07

Accounts Receivable? Yes No

Federal Aid: Yes No

Responsible Party:

Work Description:

Crack Seal road Section 3108

Other:

County: Powell

Work Procedure:

State Forces will crack seal road providing labor, material, equipment and traffic control.

Incident Date:

Gary Engman

4/13/2006

Requested By

Date

Approved By

Date

Remarks:

I certify that all work has been completed on this cost center and the corresponding maintenance personnel have reported all the maintenance costs associated with it.

Finalized By

Date

SPECIAL PROVISIONS

ENVIRONMENTAL MITIGATION AND COORDINATION MEASURES FOR GRIZZLY BEARS

A. Description. This project is located within grizzly bear habitat. Grizzly bears are known to use the project area. Transient grizzly bears may infrequently occur within the vicinity of the project throughout the construction season but particularly during the spring. To reduce the chance of bear-human conflicts and to minimize impacts to grizzly bears, adhere to the following requirements:

Keep all areas in a neat condition; promptly clean up any project related spills, litter, garbage, etc.

Keep all food and food related items inside a closed, hard-sided vehicle or special bear resistant container (see Note below) except when preparing or eating food or.

Store petroleum products, antifreeze, and personal items such as deodorants, toothpaste, soap and lotions in the same manner as food, as these products may attract bears.

Deposit garbage and waste items in grizzly bear-resistant containers. Remove the accumulated garbage and waste from the project site daily and dispose of in accordance with all Tribal, Federal, State and local laws, regulations and ordinances.

No overnight camping within the project vicinity, except in designated campgrounds, by any crew member or other personnel associated with this project.

Note: A bear-resistant container is a securable container constructed of solid material capable of withstanding 200 foot-pounds of energy applied by direct impact. The container, when secured and under stress, will not have any openings greater than 6.35 mm (¼ inch), that would allow a bear to gain entry by biting or pulling with its claws.

Promptly notify the Project Manager of any road killed game animals found in the vicinity of the project. The Project Manager will arrange to have the animals picked-up and disposed of.

Promptly notify the Project Manager of any grizzly bears observed in the vicinity of the project, or contact Environmental Services District Biologist at 444-9438 or 444-7228.

B. Basis of Payment. Consider all costs associated with this provision incidental to performance of the work. Include the cost in the cost of other items.

SPECIAL PROVISIONS

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1. PROTECTION OF WETLAND AREAS AND OTHER DRAINAGES

Impacts to any and all wetland areas and other drainages, including spring drainages and intermittent drainages, located adjacent to the project are not anticipated in association with this project. MDT has NOT acquired any water quality permits, including a Clean Water Act Section 404 permit, a Stream Protection Authorization 124 permit, or a 318 Authorization permit.

Therefore, impacts to any and all wetland areas and other drainages, including spring drainages, located adjacent to the project are not permitted. Avoid all equipment traffic, fill material, staging activities and other disturbances to the wetland areas and other drainages. If situations are observed during construction that may potentially impact water quality, including wetland areas, utilize Best Management Practices (BMP) and/or Temporary Erosion Control measures as necessary to protect the resource.

Install Temporary Erosion Control measures as deemed necessary by the Engineer. Payment to be determined using the Erosion and Sediment Control rate schedule and paid under Miscellaneous Work.

If complete avoidance of all impacts to these areas is not possible, contact the District Biologist at 444-9438 or the District Erosion Control/Construction Permitting Engineer at 454-5896, so that the proper permits can be secured prior to working in these areas. Any impacts to these areas and associated consequences, without the proper permitting, are the responsibility of the Contractor.